

SEP 15 2006

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WENXIU ZHANG,

Petitioner,

v.

**ALBERTO R. GONZALES, Attorney
General,**

Respondent.

No. 04-70627

INS No. A95-177-055

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted August 17, 2006**
Pasadena, California

Before: **KOZINSKI, O'SCANNLAIN** and **BYBEE**, Circuit Judges.

“[A]dministrative findings of fact are conclusive unless any reasonable adjudicator would be compelled to conclude to the contrary.” 8 U.S.C. § 1252(b)(4)(B). The Immigration Judge (“IJ”) found that Zhang wasn’t entitled to

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

withholding of removal because she had not proven that she would be sterilized upon return to China. The record contains evidence that many couples returning to China with more than one child are subject to fines rather than sterilization, and Zhang doesn't claim that she will be singled out for sterilization. The record would not compel a reasonable adjudicator to find that Zhang is more likely to be sterilized than not. We must therefore accept the IJ's finding as conclusive. See 8 U.S.C. § 1252(b)(4)(B).

PETITION DENIED.